**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929**

**W.P(C).No. 37887 of 2007(I)**
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**PETITIONER:**
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**SANTHOSH, AGED 34 YEARS,**
**S/O. PAULOSE, KIZHAKKEKARAVEETTIL,**
**KERAMBARAKARAYIL,**
**KOTHAMANGALAM.**

**BY ADV. SRI.B.N.SHIVSANKAR**

**RESPONDENTS:**
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1. **SUB INSPECTOR OF POLICE,**
   **KOTHAMANGALAM.**

2. **DISTRICT COLLECTOR, ERNAKULAM.**

3. **GRAMA PANJAYATHU SECRETARY,**
   **KEERAMBARA VILLAGE.**

4. **STATE OF KERALA, REPRESENTED BY**
   **CHIEF SECRETARY THE GOVERNMENT OF KERALA,**
   **THIRUVANANTHAPURAM.**

**BY GOVT. PLEADER, SMT. REMANI**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

ANTONY DOMINIC, J.

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W.P.(C) Nos. 37887 & 37952 OF 2007

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Dated this the 19th December, 2007

J U D G M E N T

In these writ petitions, the vehicles belonging to the petitioners have been seized on the allegation that they are involved in the unauthorised transportation of river sand. While the petitioners contend that they had the required passes for transporting river sand, the allegation of the respondents seems to be otherwise.

2. In view of the fact that proceedings have been initiated, I do not think it proper to direct release of the vehicle at this stage of the proceedings. In my view, the appropriate order to be passed at this stage is to require the District Collector to conclude enquiry and pass orders under Rule 27 of the Kerala Protection of River Banks and Regulation of Removal of Sand Rules, 2002, as per which orders are to be passed within the time frame that is prescribed.

In the aforesaid circumstances I dispose of these writ petitions

directing that the proceedings initiated against the petitioners vehicles Nos. KL5 F-6019 and KL7K-2473 shall be finalised by the 1st respondent as expeditiously as possible, at any rate within two weeks of production of a copy of this judgment. In the meantime it will be open to the authorities to consider whether the sand which is loaded should be unloaded and separately stored.

ANTONY DOMINIC
JUDGE

jan/-